

Introduced by Senator FlorezJune 23, 2009

Senate Constitutional Amendment No. 23—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Article X C thereto, relating to food safety.

LEGISLATIVE COUNSEL'S DIGEST

SCA 23, as introduced, Florez. Food safety: antibiotics.

California statutory law provides that the Secretary of Food and Agriculture may order any animal raised for the production of any food product, to be held and segregated if the secretary determines that the animal is or may be carrying in its body pesticides, poisons, or other deleterious substances, including, among others, antibiotics, which may render any food product from the animal injurious to human health.

This measure would provide that, as of January 1, 2015, no person shall, for a nontherapeutic purpose, cause any animal raised for the production of any human food product to ingest, or administer to any such animal, any antibiotic. This measure would make the violation of that provision a misdemeanor.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

- 1 *Resolved by the Senate, the Assembly concurring,* That the
- 2 Legislature of the State of California at its 2009–10 Regular
- 3 Session commencing on the first day of December 2008, two-thirds
- 4 of the membership of each house concurring, hereby proposes to
- 5 the people of the State of California, that the Constitution of the
- 6 State be amended as follows:
- 7 That Article X C is added thereto, to read:

ARTICLE X C

Food Safety

SECTION 1. (a) On or after January 1, 2015, no person shall, for a nontherapeutic purpose, cause any animal raised for the production of any human food product to ingest, or administer to any such animal, any antibiotic.

(b) For purposes of this section, “antibiotic” means any drug intended for use in any animal raised for the production of any human food product that is composed wholly or partly of either of the following:

(1) Any kind of penicillin, tetracycline, macrolide, lincosamide, streptogramin, minoglycoside, or sulfonamide.

(2) Any other drug or derivative of a drug that is used in humans, or intended for use in humans, to treat or prevent disease or infection caused by micro-organisms.

(c) For purposes of this section, a “nontherapeutic purpose” means a routine purpose in the absence of any clinical sign of disease, and includes any use of a drug for growth promotion, feed efficiency, weight gain, or routine disease prevention.

(d) Any person who violates this section is guilty of a misdemeanor.